

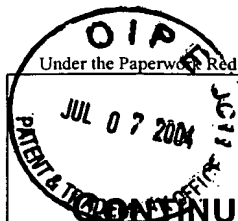
07-09-04

PTO/SB/30 (5/2000)

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U.S. Patent and Trademark office: U.S. DEPARTMENT OF COMMERCE

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REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/991,150
Filing Date	November 16, 2001
First Named Inventor	Ashkenazi, et al.
Group Art Unit	1646
Examiner Name	Kemmerer, Elizabeth
Attorney Docket Number	39780-2730P1C48

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RCE
1646
IFW

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. s 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment
- ii. ☒ Affidavit(s)/Declaration(s) (Declarations of Audrey Goddard, Ph.D. and Avi Ashkenazi, Ph.D.)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F. R. § 1.17(i) required)
- b. ☐ Other

3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 08-1641 (Docket No. 39780-2730P1C48)
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) — (\$770.00)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) — (two-months = \$475.00)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ enclosed 07/13/2004 AWONDAF1 00000135 081641 09991150
- c. ☐ Payment by credit card (Form PTO-2038 enclosed) 01 FC:1801 770.00 DA

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Daphne Reddy	Registration No. (Attorney/Agent)	53,507
Signature	Daphne Reddy	Date	July 7, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post office to Addresses" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date: July 7, 2004

Name (Print/Type)	Cheryl Rogers	Date:	July 7, 2004
Signature	Cheryl Rogers	Express Mail Label:	EL993 688 690US

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi et al. Docket No.: 39780-2730P1C48
Serial No.: 09/991,150 Group Art Unit: 1646
Filing Date: November 16, 2001 Examiner: Kemmerer, Elizabeth
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND
NUCLEIC ACIDS ENCODING THE SAME**

PRELIMINARY AMENDMENT

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action mailed on March 3, 2004 in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This RCE filing and Preliminary amendment are being timely filed concurrent with a Petition for Extension of time for two-month with required fees to maintain co-pendency of this application. Also attached herewith are a Declaration by Audrey Goddard, Ph.D. and Avi Ashkenazi, Ph.D.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

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02 FC:1252 420.00 DA

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post office to Addresses" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date: July 7, 2004		
Name (Print/Type)	Cheryl Rogers	Date: July 7, 2004
Signature	<i>Cheryl Rogers</i>	Express Mail Label: EL 993 688 690 US